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6	UNITED STATES DISTRICT COURT	
7	EASTERN DISTRICT OF CALIFORNIA	
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9	NICHOLAS PATRICK,	Case No. 1:17-cv-01121-AWI-SKO (PC)
10	Plaintiff,	ORDER ON PLAINTIFF'S MOTION TO DISMISS
11	v.	(Doc. 2, 9, 10)
12	DIAZ, et al.,	TWENTY-ONE (21) DAY DEADLINE
13	Defendants.	
14	-	
15	Plaintiff, Nicholas Patrick, is a state prisoner proceeding pro se in this civil rights action	
16	pursuant to 42 U.S.C. § 1983. On December 28, 2017, Plaintiff filed a document titled "Motion:	
17	to dismiss." (Doc. 12.) However, in the body of that motion, Plaintiff wrote: "Plaintiff hereby	
18	voluntarally (sic) dismisses case # 2:17-cv-01121-AWI-SKO." (Id.)	
19	There is no case numbered "2:17-cv-1121-AWI-SKO" in this court. There is a case	
20	numbered 2:17-cv-1121-TLN-GGH, Online Guru Inc. v. Cartagz, Inc., in the Sacramento	
21	Division of this Court, but Plaintiff is not a party to that action. Plaintiff may have accidentally	
22	begun the case number for this action with a "2" instead of a "1" in his voluntary dismissal.	
23	Although this appears to be the case because Plaintiff placed an "X" through the "2" and the "1"	
24	he wrote above it, the Court will require confirmation of Plaintiff's desire to voluntarily dismiss	
25	this action since it is case dispositive.	
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1	Accordingly, if Plaintiff desires to voluntarily dismiss this action, he is <b>HEREBY</b>		
2	<b>ORDERED</b> to file a notice of voluntary dismissal reflecting the correct case number for this		
3	action within twenty-one (21) days from the date of service of this order.		
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5	IT IS SO ORDERED.		
6	Dated: January 3, 2018	s  Sheila K. Oberto	
7		UNITED STATES MAGISTRATE JUDGE	
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